

Remarks

Applicant has reviewed and considered the Office Action dated May 17, 2005, claims 27, 53 are amended, no new matter added in the claims.

In drawings: the "strip" of claim 1 claimed had been shown in Figures 3, 7, and 8. Applicant changed "supporter" to "strip" for easy understanding and comparing Willson's "strip". In claim 50, "post" has been amended to "strip".

Claim 1, 29, 47, 50, 53, 55, and 56 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson.

Claim 1 is recited a self watering tray for a regular plant pot, the tray has at least one strip extending up wardly from the walls of the tray either side wall or bottom wall, or between the side wall and bottom wall of the tray for supporting a regular plant pot, each of the at least one strip separate from each other, the at least one strip made enough space for reserving fluid in the tray. The shape of the strip may be vary.

Examiner stated "..... at least one strip (7 of Fig. 2) for supporting a plant pot..... each of the at least one strip separate from each other....". But Wilson never discloses that a single strip for supporting a growbag, and each strip separated from each other. Because Wilson knows that a single strip easy punch a hole on the growbag then the strip lose the support function. That is why the strips, at least three, have to be slotted together (page 2, line 1-5, Wilson). Also, Fig 2 shows the framework separate from each other, does not shows strip 7 separate from each other. Clearly, Examiner's statement ".... at least one strip..... andstrip separates from each other" teaches away from Wilson's "framework " growbag supports. Wilson discloses frameworks separate from each other (Shown in Fig. 2). Obviously, claim 1 of the present invention is patentable over Wilson,

other claims are dependent claims of claim 1, also patentable over Wilson.

Claim 53 recited a self watering tray with at least one leg, the at least one leg with at least three wings formed into "T" or "+" shape (#44 Fig. 4; Fig. 5B, 5C; Fig. 6B, 6C; #88, Fig. 8). Wilson discloses: "strips forming the lattice framework". Wilson never discloses the a strip formed the "T" shape" or the "+" shape. Wilson always discloses strips "..... slotted together", "..... integrally....into formework". Clearly, the leg in shape of "T" or "+" that claim 53 claimed are different with the "framework" which Wilson disclosed. Obviously, claim 53 is patentable over Wilson, claims 55 and 56 are dependent claims of claim 53, also patentable over Wilson.

Claim 1, 47, 48 are rejected under 35 U.S.C. 102(b) as being anticipated by Lucas.

The strip claim 1 claimed is extending upwardly from tray bottom.

Examiner stated "..... a tray (2 of Fig. 6)and..... having.....a bottom wall (4 of Fig. 6).....at least one strip (14 of Figs. 3 and 6) extending upwardly (Fig. 3) from the bottom wall for supporting the plant pot". But Examiner's statement is not completely. Examiner should clearly point out "what bottom wall" in his statement. In Applicant's opinion, the strip 14 extending downwardly from a false bottom (1 Fig. 3). Clearly, Lucas' strip does not extending upwardly from the bottom wall 4 of the tray 2. So that, the rejection is not persuasive. Obviously, claim 1 is patentable over Lucas, claims 47 and 48 are dependent claims of claim 1, also patentable.

Claims 27 and 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Rajon.

Claim 27 recited a leg for support a pot having two sections, and it's hollow

for filling soil therein.

Rajon discloses the low section made by three F's and does not closed the side wall (between the F's). So that, soil can not be filled in the lower section. Thus, Examiner's rejection is not persuasive.

Claim 27, 45, 52 are rejected under 35 U.S.C 102(b) as being anticipated by Travers.

Claim 27 recited a leg coupled to a tray, the up section of the leg formed upwardly from the low section, they are in one piece and hollow for filling soil therein. Travers discloses the up section is not hollow. Clearly, travers' leg device is not the same with the leg which claim 27 claimed. Obviously, claim 27 is patentable over Travers, claims 45, and 52 are dependent claims of claim 27, also patentable over Travers.

To Examiner's response

1. But a single strip could not support a growbag. If to do so, the film will be punched by the strip, then the strip lose the support function. that is why Wilson always stated slotted together the dtrips.

2. But the element 14 does not extending from the tray bottom wall (Examiner had stated numeral 4 is a bottom of tray 2 in Fig. 6 (Page 5). So that the structure of the tray apparatus is different with the tray that claims claimed in present invention..

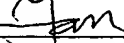
3. But the up section of the Travers' leg is not hollow, and could not be filled soil therein. But the leg claim 27 claimed can be filled soil therein..

therefore, Applicant respectfully submits that claims patentably distinguishes over the cited references.

In view of the above, it is respectfully submitted that the present application is in a condition for allowance. Reconsideration of the application and a favorable response are respectfully requested.

Respectfully submitted

5800 Maudina Ave.
Apt. C-2
Nashville, TN 37209
Phone/fax 615.354-0287

By: 
Jianhua Fan
Applicant
Date: June. 16, 2005